

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**MICHAEL DWAYNE BOLTON**

**PLAINTIFF**

**V.**

**NO. 2:10CV181-M-A**

**WARDEN BOBBY PHILLIPS, et al.**

**DEFENDANTS**

**FINAL JUDGMENT**

The Plaintiff, an inmate, brings this *pro se* complaint pursuant to 42 U.S.C. § 1983. Following a *Spears* hearing, the Magistrate Judge has submitted a Report dated September 12, 2011, recommending the dismissal of the complaint.

The Plaintiff has filed his objections to the Magistrate Judge's recommendation. The court is of the opinion that both of the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court.

THEREFORE, it is hereby ORDERED that

(1) the Plaintiff's objections to the Report and Recommendation of the United States Magistrate Judge are OVERRULED;

(2) the Report and Recommendation (docket entry 14) is APPROVED and ADOPTED as the opinion of this court;

(3) the complaint is DISMISSED for failure to state a claim upon which relief may be granted; and

(4) this matter is CLOSED.

SO ORDERED, this the 10<sup>th</sup> day of November, 2011.

/s/ MICHAEL P. MILLS  
**CHIEF JUDGE**  
**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF MISSISSIPPI**